



# CITY OF LODI

## COUNCIL COMMUNICATION

**AGENDA TITLE:** Denial of Verified Claim(s) Against the City of Lodi

**MEETING DATE:** September 20, 2000

**SUBMITTED BY:** Human Resources Director

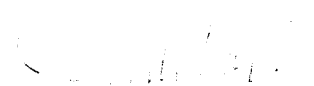
**RECOMMENDED ACTION:** To approve by motion action, denial of the following verified claim(s) filed against the City of Lodi:

	<u>Date of Loss</u>
A) Tony Anderson	8/6/00
B) Kathleen Freeman	8/10/00
C) James Hemsworth	8/10/00
D) Clifton Olson	8/10/00
E) Valeri Parrish	8/10/00
F) Theodore Payne	7/3/00
G) Gil Quinones	8/10/00
H) Francis Storm III	8/10/00

**BACKGROUND INFORMATION:** Following review of the verified claims filed against the City of Lodi, the City's Contract Administrator, Insurance Consulting Associates, Inc. (ICA), and Human Resources staff, recommend that the City deny the subject claims.

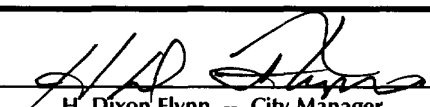
**FUNDING:** None required.

Respectfully submitted,

  
Joanne M. Narloch, Human Resources Director

cc: City Attorney

APPROVED: \_\_\_\_\_

  
H. Dixon Flynn -- City Manager

CITY COUNCIL

STEPHEN J MANN, Mayor

ALAN NAKANISHI,

Mayor Pro Tempore

SUSAN HITCHCOCK

KEITH LAND

PHILLIP A. PENNINO

# CITY OF LODI

CITY HALL

221 WEST PINE STREET, P.O. BOX 3006

LODI, CALIFORNIA 95241-1910

HUMAN RESOURCES: (209) 333-6704

FAX (209) 333-6816

H. DIXON FLYNN

City Manager

SUSAN J. BLACKSTON

City Clerk

RANDALL A. HAYS

City Attorney

Notice of Claim Rejection

September 20, 2000

Tony Anderson  
227 Columbia Dr  
Lodi, CA 95240

RE: Claim against the City of Lodi

Claimant: Tony Anderson

Date of Loss: 8/6/00

Your Claim Number:

Our Claim Number: 908

Dear Claimant:

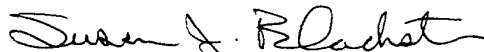
Notice is hereby given that the claim you presented to the City of Lodi on August 7, 2000, is rejected as of the date of this letter.

Please be advised

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

Please also be advised that, pursuant to §128.5 and §1038 of the California Code of Civil Procedure, the City will seek to recover all costs of defense in the event an action is filed in this matter and it is determined that the action was not brought in good faith and with reasonable cause.

Sincerely,

  
Susan J. Blackston  
City Clerk

cc: City Attorney  
Risk Manager  
Richard Vercruyssen, ICA

CITY COUNCIL

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RANDALL A. HAYS

City Attorney

## Notice of Claim Rejection

September 20, 2000

Kathleen Freeman  
1218 Villa Verde Ln  
Davis, CA 95616

RE: Claim against the City of Lodi

Claimant: Kathleen Freeman

Date of Loss: 8/10/00

Your Claim Number:

Our Claim Number: 914

Dear Claimant:

Notice is hereby given that the claim you presented to the City of Lodi on August 11, 2000, is rejected as of the date of this letter.

Please be advised

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

Please also be advised that, pursuant to §128.5 and §1038 of the California Code of Civil Procedure, the City will seek to recover all costs of defense in the event an action is filed in this matter and it is determined that the action was not brought in good faith and with reasonable cause.

Sincerely,



Susan J. Blackston

City Clerk

cc: City Attorney  
Risk Manager  
Richard Vercruyssen, ICA

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City Attorney

Notice of Claim Rejection

September 20, 2000

James Hemsworth  
9258 Terra Linda Dr  
Elk Grove, CA 95624

RE: Claim against the City of Lodi  
Claimant: James Hemsworth  
Date of Loss: 8/10/00  
Your Claim Number:  
Our Claim Number: 918

Dear Claimant:

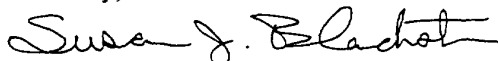
Notice is hereby given that the claim you presented to the City of Lodi on August 11, 2000, is rejected as of the date of this letter.

Please be advised

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

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Sincerely,



Susan J. Blackston  
City Clerk

cc: City Attorney  
Risk Manager  
Richard Vercruyssen, ICA

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City Attorney

Notice of Claim Rejection

September 20, 2000

Clifton Olson  
9850 Village Center Dr  
Granite Bay, CA 95746

RE: Claim against the City of Lodi

Claimant: Clifton Olson  
Date of Loss: 8/10/00  
Your Claim Number:  
Our Claim Number: 917

Dear Claimant:

Notice is hereby given that the claim you presented to the City of Lodi on August 11, 2000, is rejected as of the date of this letter.

Please be advised

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

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Sincerely,



Susan J. Blackston  
City Clerk

cc: City Attorney  
Risk Manager  
Richard Vercruyssen, ICA

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City Attorney

Notice of Claim Rejection

September 20, 2000

Valeri Parrish  
P.O. Box 1131  
Ione, CA 95640

RE: Claim against the City of Lodi

Claimant: Valeri Parrish  
Date of Loss: 8/10/00  
Your Claim Number:  
Our Claim Number: 916

Dear Claimant:

Notice is hereby given that the claim you presented to the City of Lodi on August 11, 2000, is rejected as of the date of this letter.

Please be advised

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

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Sincerely,



Susan J. Blackston  
City Clerk

cc: City Attorney  
Risk Manager  
Richard Vercruyssen, ICA

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City Manager  
SUSAN J. BLACKSTON  
City Clerk  
RANDALL A. HAYS  
City Attorney

Notice of Claim Rejection

September 20, 2000

Theodore Payne  
23906 N Highway 99  
Acampo, CA 95220

RE: Claim against the City of Lodi  
Claimant: Theodore Payne  
Date of Loss: 7/3/00  
Your Claim Number:  
Our Claim Number: 870

Dear Claimant:

Notice is hereby given that the claim you presented to the City of Lodi on July 5, 2000, is rejected as of the date of this letter.

Please be advised

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

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Sincerely,



Susan J. Blackston  
City Clerk

cc: City Attorney  
Risk Manager  
Richard Vercruyssen, ICA

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City Attorney

## Notice of Claim Rejection

September 20, 2000

Gil Quinones  
5100 N Highway 99, Sp 79  
Stockton, CA 95205

RE: Claim against the City of Lodi  
Claimant: Gil Quinones  
Date of Loss: 8/10/00  
Your Claim Number:  
Our Claim Number: 913

Dear Claimant:

Notice is hereby given that the claim you presented to the City of Lodi on August 11, 2000, is rejected as of the date of this letter.

Please be advised

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

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Sincerely,



Susan J. Blackston  
City Clerk

cc: City Attorney  
Risk Manager  
Richard Vercruyssen, ICA



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City Manager  
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City Clerk  
RANDALL A. HAYS  
City Attorney

## Notice of Claim Rejection

September 20, 2000

Francis Storm III  
3408 Thornhill Ct  
El Dorado Hills, CA 95762

RE: Claim against the City of Lodi  
Claimant: Francis Storm III  
Date of Loss: 8/10/00  
Your Claim Number:  
Our Claim Number: 915

Dear Claimant:

Notice is hereby given that the claim you presented to the City of Lodi on August 11, 2000, is rejected as of the date of this letter.

Please be advised

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

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Sincerely,



Susan J. Blackston  
City Clerk

cc: City Attorney  
Risk Manager  
Richard Vercruyssen, ICA